

# BRISTOL TENNESSEE MUNICIPAL REGIONAL PLANNING COMMISSION MEETING MINUTES

Easley Municipal Annex  
104 8<sup>th</sup> Street | Bristol, TN 37620  
August 21, 2023  
6:00 PM

## **Members Present:**

Mark Webb, Vice-Chairman  
David Akard III, Secretary  
Tekai Shu, Vice-Secretary  
Mahlon Luttrell  
Lea Powers  
Andrew Snyder  
Kelly Graham

## **Staff Present:**

Kelli Bourgeois  
Danielle Smith  
Cherith Young  
Ross Peters  
Heather Moore  
Carty Leonard  
Steve Blankenship  
Bretta Morenings

## **Members Absent:**

Jason Booher, Chairman  
Matt Slagle

## **CALL TO ORDER AND ROLL CALL**

Vice-Chairman Mark Webb called the Bristol Tennessee Municipal Regional Planning Commission meeting to order at 6:00 PM on Monday, August 21, 2023. A roll call was performed, and a quorum was declared present.

## **APPROVAL OF MINUTES**

Lea Powers motioned to approve the July 17, 2023 meeting minutes. Mahlon Luttrell seconded the motion. The vote in favor was unanimous.

Lea Powers motioned to approve the July 26, 2023 meeting minutes. Mahlon Luttrell seconded the motion. The vote in favor was unanimous.

## **UNSCHEDULED COMMENTS FROM THE PUBLIC**

None.

## **NEW BUSINESS**

### **A. Special Use Permit: 750 Lakeview Street**

**Representative: Randy Moore**

Cherith Young presented an overview and imagery of the parcel and discussed the future loft apartments and planned athletic training facility for King University. She stated the property is zoned as R-3 and noted the Planning Commission was reviewing the request for an athletic training facility as it is an allowed use with a special use permit. She discussed the special use permit criteria and noted that everything proposed was in accordance with the Zoning Ordinance, except for the absence of plans for refuse areas. Ms. Young noted Staff placed signage on the property and published an ad in the

newspaper. As of the meeting, Staff received several calls – neither expressing opposition nor support. Staff recommended approval of the special use permit with a condition related to the refuse area.

Discussion ensued regarding site plans and architectural renderings. Ms. Young stated due to the nature of the location and building, the Planning Commission would not review anything other than the special use permit.

Carl Moore Jr. stated King University approached him to construct batting cages, etc. under the existing proposed loft apartments. Due to size constraints, the existing space would not accommodate the college's requirements, so a new building was proposed. Mr. Moore noted King University would sign a 10-year lease.

David Akard motioned to accept Staff's recommendation. Andrew Snyder seconded the motion. The vote in favor was unanimous (6-0). Mahlon Luttrell abstained due to his involvement with King University's athletic program.

**B. ROW Dedication Plat: Partnership Park Road Extension & Paragon Road**  
Cherith Young reviewed the plat and discussed the history of the parcel. Staff recommended approving the ROW dedication plat.

Discussion ensued regarding the process of transferring ownership of the road from the developer to the city through the dedication process.

Kelly Graham motioned to accept Staff's recommendation. Lea Powers seconded the motion. The vote in favor was unanimous.

### **C. Rezoning**

#### **1. 5<sup>th</sup> Street – R-1A to R-3**

**Representative: Dean Beckman**

Cherith Young presented a rezoning request for a property located at 1517 5th Street. The owner and applicant, Dean Beckman, requested a rezoning from R1-A to R-3 for the vacant 0.66-acre property. Mr. Beckman's intention is to develop a quadplex on the property if the rezoning is approved. Staff recommended sending a favorable recommendation to City Council for the rezoning request due to the medium-density housing nearby and recent multifamily projects in the area.

During the discussion, concerns were raised about the road width and topography of the area, with questions regarding sidewalks and safety. Ms. Young stated sidewalks were not required because the parcel is on an existing road that currently does not have sidewalks. Mr. Beckman noted the property would have sufficient space for a turnaround so tenants would not be required to back out into the road.

Kelly Graham motioned to accept Staff's recommendation. David Akard seconded the motion. The vote in favor was unanimous.

## **2. Old White Top Road (Sullivan County UGB)**

**Representative: Bill Lizzio**

Cherith Young presented a rezoning request from B-1 (Business) to R-1 (Single-Family Residential) for 3.82 acres of a 43-acre parcel. She noted the Planning Commission's role was to make a recommendation to the Sullivan County Commission, and stated the decision would be forwarded to them for final review and vote in September.

Ms. Young provided location maps, explained the zoning change, and highlighted that the property owner preferred to consolidate the zoning request under R-1 to align with their plan for 11 single-family homes. The rezoning would change the zoning from a more permissive B-1 zone, allowing commercial and professional offices, to an R-1 zone, primarily for single-family homes. Staff received no comments on the request and recommended a favorable recommendation since it aligned with the future land use planning policy.

Bill Lizzio addressed the Commission, explaining that they purchased the land to meet the demand for larger lot sizes for custom-built homes. The plan included a range of lot sizes, from 18 acres down to 0.8 acres. The rezoning aimed to clean up a B-1 zoning area in the middle of the property, previously used for RV campers during races.

Lea Powers motioned to accept Staff's recommendation. David Akard seconded the motion. The vote in favor was unanimous.

## **D. Subdivision: Major Preliminary**

### **1. Old White Top Road (Sullivan County UGB)**

**Representative: Bill Lizzio**

Cherith Young discussed the preliminary plat approval request for a 43-acre parcel located on Old White Top Road to be subdivided into 11 lots. Staff recommended approving the preliminary plat, with the condition that it would receive final approval if the Sullivan County rezoning request is approved.

Discussion ensued regarding road maintenance and sewer. It was clarified that each lot would have its own septic system and the county would be responsible for maintaining the right-of-way since Old White Top Road is in the county.

Andrew Snyder motioned to accept Staff's recommendation. David Akard seconded the motion. The vote in favor was unanimous.

### **2. Rock Road**

Cherith Young presented the Steele Creek subdivision preliminary plat approval request located on Rock Road. The development is in the Planned Residential District (PRD) and includes 100 lots, with 96 single-family home lots and 4 lots for multi-unit buildings.

Staff recommended approving the preliminary plat subject to the following:

- The approval of the design documents, ensuring that engineering construction documents aligns with the plat.
- Finalize the coordination of the proposed trail access with the city's Parks and Recreation department (the access that connects Steele Creek Park and the golf course).

Discussion included questions about lot sizes, setbacks, and pricing for the single-family homes. The smallest lot is 0.17 acres, ranging up to 0.49 acres. Setbacks were determined within the PRD regulations, and the project included buffers between existing residential areas.

Several concerns were raised related to road conditions, traffic, and the impact on Anderson Elementary School. Rock Road, the main access point to the development, was noted as being narrow and potentially problematic for increased traffic. Concerns were also expressed about the need for road improvements and potential right-of-way acquisitions. Ms. Young stated Staff was working with the school system and noted Curt Rutherford, Bristol Tennessee City Schools' chief facilities maintenance officer, was in attendance. She then stated a traffic study was recommended by the city engineer to address these concerns, including the impact of the development on Rock Road and Highway 126.

Kelly Graham motioned to table this item until a comprehensive traffic study was completed and presented for evaluation. Tekai Shu seconded the motion. The vote in favor was unanimous.

## **OLD BUSINESS**

None.

## **OTHER MATTERS**

### **A. Discussion: Amendment Initiation Process**

Cherith Young presented two potential options to amend the Zoning Ordinance regarding the amendment initiation process. She noted Staff preferred Option 1.

- The first option, inspired by the Sullivan County zoning resolution, suggested that zoning ordinance amendments could be initiated by the Bristol Tennessee City Council, the Planning Commission, and planning staff. Amendments to the zoning map could be initiated by City Council, Planning Commission, property owners, or legal agents representing property owners (e.g., power of attorney, licensed realtor, or contractual parties).
- The second option, influenced by Johnson City's approach, added the requirement of resolutions from both the Planning Commission and City

Council to initiate zoning changes. This additional step introduced a formal process, which could extend the timeline for amendments.

Concerns were raised regarding the potential for property owners to be affected without their consent, creating a sense of targeting. It was mentioned that rezoning doesn't equate to property taking, and Supreme Court precedent supports rezoning initiated by governing bodies. However, concerns were also expressed about the potential for neighbors or third parties to initiate rezoning, possibly targeting specific properties.

The discussion led to a consensus that the Zoning Ordinance should be refined, possibly by considering the size or scope of rezoning requests as a factor. It was agreed that Staff should explore options that prevent targeting of individual properties while allowing for larger rezoning initiatives like those on West State Street. The discussion concluded with a recognition of the need for further deliberation.

#### **B. Discussion: Project Updates**

##### **1. West State Street Corridor**

Cherith Young stated the project continues to progress and noted Staff would make a presentation during September's City Council meeting. Discussion ensued regarding Bristol, Virginia's and Advance Bristol's involvement in the project. Ms. Young noted that Staff meets regularly with Bristol, Virginia and Advance Bristol was involved in stakeholder sessions held last fall.

##### **2. Highway 394**

Cherith Young stated Staff met with staff-level individuals on August 9, 2023. She noted the meeting date with TDOT has not been established.

#### **C. City Council Update**

Cherith Young stated there were no updates.

#### **D. Training Update**

Cherith Young discussed virtual training opportunities and stated an in-person property rights training would be held in December.

#### **E. Site Plan and Subdivision Plats Report**

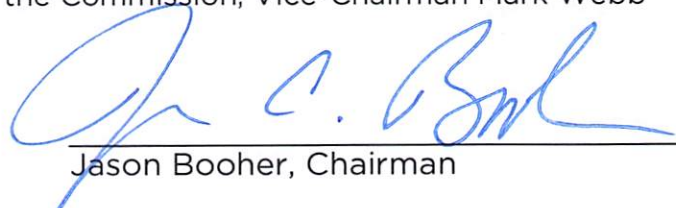
Cherith Young briefly reviewed the Site Plan and Subdivision Plats Report with the Commission.

#### **ADDITIONAL COMMENTS**

Cherith Young stated the City received a summons regarding the Rudder project subdivision plat waiver.

#### **ADJOURNMENT**

With no other matters to present to the Commission, Vice-Chairman Mark Webb adjourned the meeting at 7:28 PM.



Jason Booher, Chairman